

Fiscal Estimate Narratives

DOT 11/21/2005

LRB Number	05a0943/1	Introduction Number	AA1- AB618	Estimate Type	Supplemental
Description Child safety restraint systems, safety belt use requirements in motor vehicles, and providing a penalty					

Assumptions Used in Arriving at Fiscal Estimate

Under both current law and Assembly Bill 618, there is an exception to the child safety restraint provisions specifying that a person other than the operator of a motor vehicle transporting a child required to be properly restrained under those provisions may temporarily remove a child from a safety restraint system to attend to personal needs of the child under all of the statutory specified circumstances (in current law, these are found in s. 347.48(4)(a)3., in AB-618, s.347.48(4)(au)). Assembly Amendment 1 repeals this exception in current law (i.e., repeals s. 347.48(4)(a)(3) and in the bill).

Under Assembly Bill 618, for the first six months after the enactment of the bill, law enforcement officers may issue only written warnings, not citations, for child safety and seat belt violations if the violator has not previously received a warning or citation within the period. Assembly Amendment 1 revises this warning period provision to make it applicable only to child safety restraint violations involving a child who is at least 4 years old and less than 8 years old. Therefore, the provision specifies that if a law enforcement officer has probable cause to believe that a person has committed a violation involving a child who is at least 4, and less than 8 years old, the officer must issue to the person a written warning for a previous violation involving a child (who is at least 4, and less than 8 years old) during this 6-month period. Other violations will not be included in the warning period (i.e., citations will be issued).

The intent of this amendment is to meet federal (NHTSA) criteria to qualify the state (i.e., upon approval by NHTSA after the bill is passed) for incentive grant funding for occupant protection programs found in Section 2011 of SAFETEA-LU. Beginning with Federal Fiscal Year 2006 (October 2006 – September 2007), states can qualify for annual federal incentive funds if they enact and enforce CSR laws requiring any child riding in a passenger vehicle who is too large to be secured in a child safety seat to be secured in a CSR that meets the requirements prescribed under Section 3 of "Anton's Law" (49 USC 30127 note; 116 Stat.2772). These funds may be used only for child safety seat and CSR programs; no more than 50% may be used to purchase/distribute child safety seats and CSR's to low-income families, and the remaining amount must be used to fund enforcement of child restraint laws, to educate the public on the proper use/ installation of child safety seats and CSR's, or to train child safety professionals, emergency personnel, educators and parents about child safety seats and CSR's.

The national pool of funding is expected to be \$6 million annually in FFY2006-2008 and \$7 million in FFY 2009. The federal share of expenditures for these state programs is limited to 75% in the first three years of the grant and 50% in the fourth year of the grant (note: "soft matching" is allowed).

For purposes of this Fiscal Estimate it is assumed that Assembly Amendments 1 and 2 will bring Wisconsin into full compliance and that federal funds will be received. Although, whether Wisconsin receives funding under this grant is always at the discretion of the federal funding agency (NHTSA). The amount of incentive funding the state will receive cannot be precisely estimated since it is unknown which or how many of the 33 states that currently have CSR laws similar to the provisions of "Anton's Law" will also be deemed fully compliant and receive a proportionate share of the national pool of CSR incentive funding. Likewise, it is unknown how many of the 17 states without CSR laws will enact new CSR laws that will be deemed compliant with "Anton's Law."

IMPORTANT NOTE: The deadline for submission of an application for incentive grants is February 15, 2006. In order for Wisconsin to qualify for these federal funds, the new law meeting federal criteria must be in effect at the time of the application.

Long-Range Fiscal Implications

Unknown

Fiscal Estimate Worksheet - 2005 Session

Detailed Estimate of Annual Fiscal Effect

Original
 Updated
 Corrected
 Supplemental

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Description Child safety restraint systems, safety belt use requirements in motor vehicles, and providing a penalty			
I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):			
II. Annualized Costs:		Annualized Fiscal Impact on funds from:	
		Increased Costs	Decreased Costs
A. State Costs by Category			
	State Operations - Salaries and Fringes	\$	
	(FTE Position Changes)		
	State Operations - Other Costs		
	Local Assistance		
	Aids to Individuals or Organizations		
	TOTAL State Costs by Category	\$	\$
B. State Costs by Source of Funds			
	GPR		
	FED		
	PRO/PRS		
	SEG/SEG-S		
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)			
		Increased Rev	Decreased Rev
	GPR Taxes	\$	\$
	GPR Earned		
	FED		
	PRO/PRS		
	SEG/SEG-S		
	TOTAL State Revenues	\$	\$
NET ANNUALIZED FISCAL IMPACT			
		<u>State</u>	<u>Local</u>
	NET CHANGE IN COSTS	\$	\$
	NET CHANGE IN REVENUE	\$Unknown	\$
Agency/Prepared By		Authorized Signature	Date
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